



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 10, 2019

BY E-MAIL

Grainne E. O'Neill, Esq.
O'Neill / Hassen
25 Eighth Ave, Suite C
Brooklyn, NY 11217

Priya Chaudhry, Esq.
Chaudhry Law PLLC
45 West 29th Street, Suite 303
New York, NY 10001

Re: United States v. Omar Amanat and Irfan Amanat
S8 15 Cr. 536 (PGG)

Dear Counsel:

The Government writes to voluntarily provide the following additional information relating to FBI confidential human source Spyros Enotiades (the “CHS” or “Enotiades”):

- *Discovery Related to Phones Used by the CHS:* As set forth in our joint letter to the Court dated September 16, 2019, the Government agreed to search mobile phones used by the CHS in connection with his work for the FBI Prosecution Squad for responsive information, including communications between Irfan and the CHS, between Omar and the CHS, and between the CHS and others concerning the Amanats. As noted in the FBI reports that have been provided to you, FBI agents reviewed the CHS’s cellphone with the CHS to search for responsive material, including in the above delineated categories. On October 8, 2019, the Government produced responsive materials from this review, including WhatsApp messages with or relating to the Amanats, to you. (USAO_TUZMAN_0350080 – USAO_TUZMAN_0350089.) As described in our letter dated November 13, 2019, the CHS indicated to the Government that he believed that he may have used another phone (in addition to the two from which messages were produced) from which information may have been deleted before the CHS provided it to another individual for use. As indicated in the FBI reports produced to you on December 3, 2019 (3558-36), the CHS was able to locate one additional phone being used by another individual, and to review that device; responsive information about Omar or Irfan was not identified. The CHS has confirmed that he has been unable to locate any additional phones that might contain responsive material. The Government believes it has taken appropriate and diligent steps to locate any additional devices that may contain responsive communications.

- *Discovery Related to Testimony by the CHS in the SDNY.* You requested a list of all cases in which Enotiades has testified as a Government witness. The Government previously disclosed that Enotiades testified in *United States v. Chigbo Umeh*, 09 Cr. 524 (JSR), prosecuted by Randall Jackson, Omar's trial counsel. Enotiades does not recall testifying in additional cases. The Government has voluntarily taken additional steps to determine if Enotiades has testified in connection with any other cases prosecuted in the Southern District of New York. The Government identified one additional case, in which we believe that Enotiades was expected to testify, but which was resolved with a guilty plea prior to trial. *United States v. Gibrilla Kamara*, 10 Cr. 457 (WHP); Mr. Jackson was also a prosecutor on this case, *see* <https://www.justice.gov/archive/usao/nys/pressreleases/October11/kamaragilbrillapleap.pdf>. This case was a DEA case that had no connection to the Amanats.
- *Discovery Related to CHS as a Source in SDNY Investigations.* We have also voluntarily taken reasonable steps to seek to identify other investigations in the Southern District of New York in which Enotiades was used as a source. For this limited universe of investigations, we have confirmed that (a) the investigations did not relate to the Amanats, and (b) there is no information to suggest that Enotiades lied to law enforcement.
- *Discovery Related to Enotiades' DEA Handlers.* You have requested all notes and reports from Enotiades' DEA handlers regarding the Amanats. While none of the DEA handlers are part of the Prosecution Team, we have voluntarily undertaken to obtain additional information concerning whether Enotiades' work for the DEA touched on the Amanats. Special Agent Amato has spoken with various DEA agents who have worked with Enotiades, including the primary DEA handler.¹ While two handlers recall that Enotiades mentioned having met Omar Amanat in or about 2017, these handlers did not task Enotiades with any work concerning the Amanats. To our knowledge, there are no additional notes or reports from Enotiades DEA handlers regarding the Amanats.
- *Discovery Related to Enotiades Being Deactivated by His DEA Handler in Cyprus.* Enotiades has advised the Government that a DEA agent in Cyprus discontinued her use of Enotiades as a CHS, apparently because, as Enotiades understands it, the agent accused Enotiades of misappropriating government funds. It emerged subsequently that the particular DEA agent was convicted of stealing fraud proceeds she had been tasked to recover on behalf of fraud victims. *See* <https://www.justice.gov/opa/pr/former-agent-drug-enforcement-administration-pleads-guilty-stealing-fraud-proceeds>. Other DEA agents continued to work with Enotiades.

¹ While Special Agent Amato has identified and spoken to several DEA agents who have worked with Enotiades, including the DEA handler with the primary DEA relationship with Enotiades, there is one identified DEA agent who has worked with Enotiades who Special Agent Amato has attempted unsuccessfully to contact. The Government will disclose any responsive information once contact is made. The Government has no reason to believe this DEA Agent will have any information concerning Enotiades and the Amanats.

- *Evidence of Payments Enotiades Received from the Amanats.* The Government previously agreed to obtain bank records for an account that the CHS had identified as being used to receive payments from Omar. Those records were produced to you on December 3, 2019.

This information is being provided pursuant to the protective orders previously entered in this matter.

Very truly yours,

GEOFFREY S. BERMAN
United States Attorney

By: /s/
Andrea M. Griswold
Joshua A. Naftalis
Daniel M. Tracer
Assistant United States Attorneys
(212) 637-1205/2310/2329